

## REMARKS

### Claim Rejections

The Examiner has rejected claims 1, 5, 7, 9-10 and 14-16 under 35 U.S.C. § 102(e) as being anticipated by Kupiecki et al. (U.S. Patent No. 5,669,931). The Examiner has also rejected claims 2-4, 6, 8, 12-13 and 17-20 under 35 U.S.C. § 103(a) as being unpatentable over Kupiecki et al. The Examiner has not provided a basis for rejecting claim 11.

Applicants have carefully considered the Examiner's comments. In order to expedite prosecution of Applicants' claims, claims 1, 6, 19 and 20 have been amended to more clearly distinguish the prior art. Claims 21 and 22 have been added. It is respectfully submitted that Kupiecki et al. does not disclose all of the limitations of Applicants' claims as now presented. Moreover, there is no suggestion or motivation to combine the prior art to achieve Applicants' claimed inventions.

In particular, Kupiecki et al. discloses an entirely different method for deploying a wire body than the method claimed by Applicants. Applicants' claims require that the wire body is mechanically pushed forward through the catheter. After the wire body abuts a first wall and becomes frictionally locked against the first wall portion, the wire body is mechanically pushed to curve a straight section of the wire body toward a second wall portion. By contrast, Kupiecki et al. discloses a method for hydraulically deploying a wire body. (Col. 7, lines 19-25). Indeed, Kupiecki et al. teaches that hydraulic deployment is preferred over mechanical deployment because the wire body exhibits relatively little column strength. (Col. 7, lines 19-23; see also col. 7, line 7-18 ("is an extremely flexible device . . . exert[s] little if any radial force . . . [t]he fluid-like properties of the device"). Kupiecki et al. also teaches that hydraulic deployment provides advantages that cannot be achieved with mechanical deployment. For example, in the hydraulic deployment system described in Kupiecki et al., the discharge fluid accelerates the proximal end of the wire out of the catheter toward the secondary winding. (Col. 10, lines 21-26).

In Applicants' claimed inventions, the wire body is deployed by mechanically pushing the wire body out of the catheter. This provides the physician with greater

feedback and control over placement of the wire body. By contrast, in Kupiecki et al., the physician has limited control over placement of the wire body once the distal end of the wire body is released from the catheter. Furthermore, in Applicants' embodiment where the wire body is coupled to the guidewire during placement, the physician may reposition the wire body by pulling the wire body back into the catheter. However, in Kupiecki et al. this would be impossible because the hydraulic deployment system cannot pull the wire body back into the catheter.

Because the prior art of record does not disclose all of the limitations of claims 1 and 19-20, Applicants' claims are allowable. In addition to the limitations missing from Kupiecki et al., the prior art of record fails to disclose the additional limitations, or a motivation to combine the required limitations, of dependent claims 2-18 and 21-22. Because each of these claims incorporate all of the limitations of allowable claims 1 and 19-20 respectively, claims 2-18 and 21-22 are also allowable. Therefore, any further arguments that could be made at this time in support of the additional limitations of Applicants' dependent claims would be superfluous and unnecessary. *In re Fine*, 837 F.2d 1071, 1076 (Fed. Cir. 1988); *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1555 (Fed. Cir. 1983).

## **Conclusion**

Applicants have amended claims 1, 6, 19 and 20 to clarify the scope of the claims and put the application in condition for allowance. New claims 21-22 have also been added. None of the prior art of record discloses the limitations of Applicants' claims as now presented. In particular, Applicants' claims require that the wire body be mechanically pushed out of a catheter to frictionally lock the wire body against one side of a vessel or aneurysm. The wire body is then mechanically pushed to curve the wire body toward another side of the vessel or aneurysm. Kupiecki et al. fails to disclose Applicants' claim limitations because Kupiecki et al. is directed to hydraulically deploying a wire body instead of mechanically deploying a wire body. Thus, Applicants' claims are allowable. If the Examiner has any questions, the Examiner may call Applicants' attorney, Richard E. Stanley, Jr., at 312-321-4279. Accordingly, Applicants request reconsideration and allowance of the application.

Respectfully submitted,

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